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PRE-APPEAL BRIEF REQUEST FOR REVIEW

Docket Number (Optional)

9683/106

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on October 1, 2007Signature Tadashi HorieTyped or printed name Tadashi Horie

Application Number

10/082,797

Filed

February 25, 2002

First Named Inventor

Masahiro Sawada

Art Unit

2681

Examiner

Desir, Pierre Louis

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).

Note: No more than five (5) pages may be provided.

I am the

 applicant/inventor.

Signature

 assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/98)Tadashi Horie

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October 1, 2007

Registration number if acting under 37 CFR 1.34 _____

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.
Submit multiple forms if more than one signature is required, see below*.



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This collection of information is required by 35 U.S.C. 132. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.8. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Date of Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Masahiro SAWADA et al.

Appln. No.: 10/082,797

Examiner: DESIR, Pierre Louis

Filed: February 25, 2002

Art Unit: 2681

For: METHOD AND SYSTEM FOR
LOCATION MANAGEMENT AND
LOCATION INFORMATION
PROVIDING SYSTEM

Attorney Docket No: 9683/106

PRE-APPEAL BRIEF REQUEST FOR REVIEW

Mail Stop AF
Commissioner for Patents
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Dear Sir:

In response to the final Office Action dated June 1, 2007, please consider the following remarks. This Response is filed with: a form PTO/SB/33, titled, "Pre-Appeal Brief Request Review"; and a form PTO/SB/31, titled, "Notice of Appeal".

Remarks begin on page 2 of this paper.

REMARKS:**Status of the Claims**

Currently, claims 22-37 and 39-48 are pending in the application. Claims 22, 42, 43 and 47 are independent claims. Claim 22, along with dependent claims 23-37, constitutes a first claim set. Claim 42, along with dependent claims 39-41, constitutes a second claim set. Claim 43, along with dependent claims 44-46, constitutes a third claim set. Claim 47, along with dependent claim 48, constitutes a fourth claim set.

Claim Rejections ~ 35 U.S.C. 102**Claims 43-44**

Claims 43-44 are rejected under 35 U.S.C. 102(b) as being anticipated by Kauser et al. Claim 43 recites three limitations: (i) a query receiver configured to receive an inquiry from a user asking a location of a mobile station; (ii) a paging control responsive to the inquiry to cause the mobile station to be paged and receive location information of the mobile station from the mobile station; and (iii) a transmitter configured to transmit to the user a response which comprises at least a part of the location information.

Applicants would like to call the Examiner's attention to above limitation (ii), in which the mobile station is paged. Kauser is silent about limitation (ii). As discussed in col. 5, lines 42-52, the location function of Kauser is initiated by a telephone call from a mobile telephone whose location information is being sought. The Examiner cites an operation disclosed in Kauser that the location information could be communicated to the mobile telephone itself if the request for location information came from the user of the mobile telephone (col. 12, lines 33-35). Thus, the user is lost and uses the mobile telephone to ask "Where am I?". (col. 1, lines 52-55). There is no need to page the mobile telephone because the user is on the mobile telephone, making the inquiry call.

Since Kauser is silent about limitation (ii), Kauser cannot anticipate claim 43 and its dependent claims.

Claims 39 and 41-42

Claims 39 and 41-42 are rejected under 35 U.S.C. 102(e) as being anticipated by Kojima. The Examiner indicates that with the disabling of the (first) position registration function, a second registration function is used ... Applicants are not sure if they can understand the Examiner's argument.

In Kojima, when a mobile station which has entered a particular mobile space, such as space 9, receives the identification number of the mobile space 9. The mobile station then initiates a registration function to transmit a registration request which includes the received identification number of the mobile space. (col. 4, line 63 – col. 5, line 2). The switching control station 7 collates the service area in which the mobile station is present with the service area in which the mobile space 9 is present. If the areas match, the switching control station 7 disables the registration function of the mobile station. (col. 5, lines 3-9). After the registration function is disabled, the mobile station will not initiate any position registration with the switching control station 7. (col. 5, lines 13-25). In other words, the mobile station has only one registration function and does not have the second registration control as recited in claim 42.

Since Kojima is silent about the second registration control, it cannot anticipate claim 42 and its dependent claims.

Claim Rejections – 35 U.S.C. 103

Claims 22-30, 37

Claims 22-30 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kojima in view of Tuohino. The Examiner indicates that Kojima discloses that the switching control station 7 has a function of updating, when the mobile space moves in the real space and performs a position registration operation, also the position information of the mobile station from the identification number of the mobile space, in which the mobile station is present.

Claim 22 calls for "a transportation location finder configured to identify a communication area ... based on movement information obtained from a traffic control..." The switching control station 7 of Kojima updates the position information based on a registration request from the mobile station (col. 4, line 63 – col. 5, line2),

not based on movement information obtained from a traffic control. There is nothing in Kojima which discloses or teaches this limitation of "a transportation location finder configured to identify a communication area ... **based on movement information obtained from a traffic control...**" recited in claim 22. Nor does Tuohino disclose or teach the limitation.

Since neither Kojima nor Tuohino discloses or teaches the limitation, claim 22 and its dependent claims should be patentable over these references.

Claims 31-36

Claims 31-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kojima and Tuohino, further in view of Jones. Claims 31-36 depend indirectly from claim 22. As discussed above, claim 22 should be patentable over Kojima and Tuohino. Jones is silent about the missing limitation of claim 22 as well. Therefore, claims 31-36 should also be patentable over the cited references.

Claim 40

Claim 40 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kojima in view of Jones. Claim 40 depends indirectly from claim 42. As discussed above, claim 42 should be patentable over Kojima. Jones is also silent about the second registration control. Therefore, claim 40 should also be patentable over the cited references.

Claims 45 and 47-48

Claims 45 and 47-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kauser in view of Kojima and Jones. Claim 45 depends from claim 43. As discussed above, claim 43 should be patentable over Kauser. Neither Kojima nor Jones discloses or teaches claim 43. Therefore, claim 45 should also be patentable over the cited references.

Claims 47 and 48 should also be allowable over Kauser, Kojima and Jones. No detailed explanation is necessary as to why Kauser fails to disclose or teach the limitation of "a memory that stores time schedules of transportations".

Kauser also fails to disclose or teach the limitation of "a location querer responsive to the inquiry to find if the mobile station is situated on a transportation" because Kauser has nothing to do with transportation.

Kauser also fails to disclose or teach the limitation of "a location estimator configured to determine, if the mobile station is situated on a transportation, a future location of the mobile station by referring to the time schedules stored in the memory." Kauser determines the current location of a mobile station, not a future location of the mobile station.

Likewise, Kojima fails to disclose or teach claim 47. In Komima, no one asks about the location of mobile telephone. Kojima is silent about the schedules of transportations recited in the claim. Kojima does not determine a future location of the mobile station. Kojima does not report a future location of the mobile station to anyone.

Jones also fails to disclose or teach the invention claim 47. Jones is silent about the limitation of "a location querer responsive to the inquiry to find if the mobile station is situated on a transportation." In Jones, no one asks about the location of mobile telephone. In Jones, if the vehicle is off schedule, the vehicle manager voluntarily notifies a user of the delay.

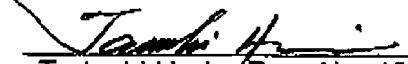
Since none of the references, either alone or in combination, discloses or teaches the invention recited in claim 47, claim 47 and claim 48 should be allowable over the references.

Claim 46

Claim 46 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kauser in view of Kojima. Claim 46 depends from claim 43. As discussed above, claim 43 should be allowable over the cited references. Claim 46 should also be allowable over the references.

Respectfully submitted,

October 1, 2007
Date


Tadashi Horie (Reg. No. 40,437)